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Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, D.C. 20554

SEP 15 1997  
FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the Matter of )  
 )  
Reallocation of Television Channels ) ET Docket No. 97-157  
60-69, the 746-806 Band )

To: The Commission

**COMMENTS OF NEXTEL COMMUNICATIONS, INC.**

**I. INTRODUCTION**

Pursuant to Section 1.415 of the Rules of the Federal Communications Commission ("Commission"), Nextel Communications, Inc. ("Nextel") respectfully submits these Comments in response to the Commission's Notice of Proposed Rule Making ("NPRM") in the above-captioned proceeding.<sup>1/</sup>

In the NPRM, the Commission seeks comment on the reallocation of the 746-806 MHz band, which currently is allocated to television broadcasters on channels 60-69. Although the Commission is seeking comments on whether this spectrum should be reallocated from television to public safety, and fixed, mobile and broadcast, Nextel limits its comments herein to the need for adjacent channel protection for 806-821 MHz Specialized Mobile Radio ("SMR") operations that historically have experienced interference from Channel 69 broadcasters.

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<sup>1/</sup> Notice Of Proposed Rule Making, ET Docket No. 97-157, FCC 97-245, released July 10, 1997.

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As Nextel stated in the Commission's proceeding on Advanced Television Systems,<sup>2/</sup> operations on Channel 69 have been a source of harmful interference to SMR operations at 806-821 MHz. Since the reallocation of UHF channels to land mobile radio operations in the mid-1970's,<sup>3/</sup> there have been several cases of broadcasters causing harmful interference to adjacent channel land mobile operators. Interference caused to land mobile operations by Channel 69 broadcast operations was so severe that the Commission eventually froze all Channel 69 applications until it could resolve the ongoing interference problems between broadcasters and land mobile licensees. In light of this evidence of harmful interference between the two services, Nextel opposed and continues to oppose the use of Channel 69 for digital television in any market.

In this proceeding, Nextel does not oppose the reallocation of Channel 69 (post-digital television use) to public safety use, but Nextel does once again take this opportunity to stress the importance of protecting adjacent channel operators from harmful interference. Just as Nextel asked the Commission to protect 806-821 MHz SMR operations from broadcast interference -- whether digital or analog broadcasters - - Nextel is seeking Commission rules and regulations for prospective Channel 69 licensing that will likewise protect existing SMR operations from harmful interference.

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<sup>2/</sup> See Comments of Nextel, filed November 22, 1996, in MM Docket No. 87-268.

<sup>3/</sup> First Report and Order and Second Notice of Inquiry, Docket No. 18262, 35 FR 8644 (June 4, 1970); Second Report and Order, Docket No. 18262, 46 FCC 2d 752 (1974); *modified on recon.*, Memorandum Opinion and Order, Docket No. 18262, 51 FCC 2d 945 (1975); *aff'd* National Association of Regulatory Utility Commissioners v. FCC, 525 F.2d 630 (DC Cir. 1975).

## **II. DISCUSSION**

Despite Nextel's comments and the Commission's efforts on these issues, Nextel, an SMR operator at 806-821 MHz, continues to experience harmful interference from broadcast operations on Channel 69. For example, in San Diego, Nextel's SMR operations at 811-820 MHz are currently experiencing harmful interference from a broadcaster's operations on Channel 69. Through additional filtering and the cooperation of the broadcaster, this interference has been minimized, but the potential remains.

Unlike broadcast operations on Channel 69, public safety services should be more compatible with the SMR services operating on adjacent channels. Nonetheless, Nextel supports Commission rules that would ensure the highest degree of adjacent-channel interference from prospective channel 69 operations. One way in which the Commission can accomplish such interference protection is to require that prospective licensees place low-power operations on Channels 60-69. For example, in assigning channel pairs to licensees, the Commission could require the operation of mobiles/portables on Channel 69 and system base stations on lower Channels in the 60-69 band. This separation should protect 806-821 Mhz SMR operations from interference from Channel 69 operations while imposing no unnecessary burdens on Channels 60-69 licensees.

### III. CONCLUSION

For the reasons discussed herein, Nextel respectfully requests that the Commission prescribe rules and regulations for Channel 69 licensing that will adequately protect SMR operations at 806-821 MHz from harmful interference.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Robert S. Foosaner", written over a horizontal line.

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Date: September 15, 1997

## CERTIFICATE OF SERVICE

I, Rochelle L. Pearson, hereby certify that on this 15th day of September, 1997,  
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